



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 21-063

For business meeting on: January 22, 2021

Title

Judicial Branch Technology: Approve
Allocation of Court Modernization Funding,
Fiscal Year 2020–21, Quarter 2

Agenda Item Type

Action Required

Effective Date

January 22, 2021

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

January 7, 2021

Recommended by

Technology Committee
Hon. Kyle S. Brodie, Chair

Contact

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Executive Summary

The California Budget Act of 2020 appropriated \$25 million for the modernization of court operations, and the Judicial Council asked the Technology Committee to recommend allocation of the funding. The Technology Committee recommends that the Judicial Council receive the attached summary of Court Modernization Funding allocations and activity for the second quarter of fiscal year (FY) 2020–21, and approve the allocations itemized in the attached summary.

Recommendation

The Technology Committee recommends that the Judicial Council, effective January 22, 2021:

1. Receive the attached summary of Court Modernization Funding allocations for the second quarter of FY 2020–21; and
2. Approve the allocations itemized in the summary.

Relevant Previous Council Action

At the July 24, 2020, Judicial Council meeting, the Chief Justice directed the Technology Committee to recommend a proposal for allocating a \$25 million budget appropriation in the Budget Act of 2020 designated for modernizing court operations through the use of technology.¹

At the September 25, 2020, Judicial Council meeting, the council approved the allocation of the \$25 million for the 13 approved programs, directed the Technology Committee to recommend individual allocations to trial courts, and directed it to report back on each program's progress.

At the November 13, 2020, Judicial Council meeting, the council approved clarifying the description of the Trial Court Digital Services program to include the physical—as well as virtual—courtroom, to give courts increased flexibility in improving access to justice through modernization and the use of technology.

Analysis/Rationale

Allocation methodology and program categories

The Technology Committee conducted extensive outreach to the courts regarding the Court Modernization Funding program, including to the Information Technology Advisory Committee, the Trial Court Presiding Judges Advisory Committee, the Court Executives Advisory Committee, and the Court Information Technology Managers Forum.

The Technology Committee met on October 9, 2020, to review and discuss the proposed funding models, allocation methodology, program requirements, and court request process. Following this meeting, the Technology Committee approved by email action a recommendation to the Judicial Council clarifying the description of the Trial Court Digital Services program category (subsequently approved by the council on November 13) and funding allocations for the \$25 million, as follows: (1) \$12.5 million to be distributed across the superior courts of California (i.e., trial courts) (hereafter “direct allocations”); (2) \$10 million for use toward branchwide initiatives across 13 program categories; and (3) \$2.5 million reserved for contingencies and related needs in executing the FY 2020–21 modernization efforts.

Direct allocations: court proposals and Technology Committee recommendations

On November 2, 2020, a Request for Funding Allocations (RFA) package was distributed to the trial courts. Later that week, a branch webinar was held to review the material and answer questions. Each court was assigned a project manager to assist it with the RFA and, if the court needed, project management expertise. Courts could submit an application to include projects in one or multiple program categories. The applications were due on November 18, 2020, and all 58 of the trial courts submitted applications.

¹ The budget bill language explicitly limits the use of the funding to modernizing trial courts, and is available online at https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB89.

The trial court requests included:

Courts	Program Category	Examples
38	Remote Video Projects	Video Remote Interpreting (VRI), remote hearings, administrative hearings, Virtual Customer Service Center
35	Digitizing Document Projects	Digitization of physical court records and the availability of digital records to the public through a self-service portal
23	Trial Court Digital Services	Websites, mobile apps, courtroom technology– audio and video solutions, electronic recording, and electronic signage
21	Next Generation Hosting	Office 365, cloud solution hosting like case management systems in the cloud, and disaster recovery solutions
11	Virtual Customer Service Center	Incorporating the use of Live Chat or automated chat on court websites
7	Court Notification Systems	Payment reminder, hearing reminder, jury reminder, appointment reminder, etc.
4	Digital Evidence	Pilots for electronic submission of evidence for case review, such as submitting evidence to correct a traffic ticket

The committee reviewed the applications and at an open meeting on December 14, 2020, the committee approved recommending the direct allocations based on the pro rata Workload Allocation and Funding Methodology and a minimum of \$40,000 to each of the courts, as defined in the attached summary.

Branchwide initiatives update

Also, at its December 14, 2020, meeting, the Technology Committee received an update on the activities to date related to the branchwide initiatives. Similar to the direct allocations, the branchwide programs fall within the 13 program categories approved by the council. These programs will invite courts to participate in branchwide initiatives in a number of ways, including:

- **Grant programs**, in which courts would apply for additional funds in approved categories and subject to program requirements (such as for remote appearances);

- **Pilot programs**, in which courts would participate in piloting the delivery of common technologies and services to courts for potential offering branchwide (such as integrating intelligent chat functionality within a court website, and piloting an enterprise messaging and notification system); and
- **Branch service offerings**, in which Judicial Council staff would provide court assistance and resource services (such as planning assistance in migrating to cloud-based solutions for core systems, and developing master agreements to be leveraged by courts).

The Technology Committee discussed the specific program offerings anticipated and looked forward to continued updates from staff.

Policy implications

The Legislature recognized the necessity of investing \$25 million in court technology for the modernization of court operations. Modernizing the courts is a longstanding judicial branch priority—according to its adopted *Strategic* and *Tactical Plans*—and each of the courts’ projects advances that goal. Individually, each project will significantly improve the way trial courts serve the public. Taken as whole, the projects will make great strides in advancing the judicial branch’s technology goals, fostering the spirit of collaboration that has proved essential to modernizing court operations. The committee’s recommended allocations are an investment that will pay dividends for years to come.

Comments

As noted, the proposal was not distributed for public comment because of the significant outreach to courts to gather input, as well as the multiple formal public comment periods provided as part of the Technology Committee–noticed open meetings.

The Technology Committee conducted extensive outreach to the courts regarding the Court Modernization Funding program, including to the Information Technology Advisory Committee, the Trial Court Presiding Judges Advisory Committee, the Court Executives Advisory Committee, and the Court Information Technology Managers Forum.

Additionally, no public comments were received for the Technology Committee’s open meeting held on October 9, 2020; for the subsequent action by email held October 14, 2020; nor for the open meeting held on December 14, 2020.

Alternatives considered

Many alternatives exist and were considered, including various branch workload-based funding models. The Technology Committee concluded that, given all the proposals and weighing the input, a direct allocation using the council-approved methodology with a minimum allocation was the best proposal to meet the goals and ability to demonstrate success.

Fiscal and Operational Impacts

Distribution efforts

Judicial Council staff will work to distribute the \$12.5 million in direct allocations to the 58 trial courts, through intra-branch agreements, so that courts may begin their modernization projects and improve access to justice through the use of technology.

In January, information on the branchwide opportunities will be announced to courts to solicit their participation in these programs.

Next steps

On March 1, courts are due to submit their first quarterly report regarding use of their direct allocations, which will be reviewed to assess whether any funding needs to be redistributed. The Technology Committee and Judicial Council staff will begin tracking project implementation plans and measurable outcomes, as well as consider any requests for use of the reserve funding.

Attachments and Links

1. Attachment A: *Court Modernization Funding Program Fiscal Year 2020–21, Direct Allocations–Distribution Summary*

Attachment A: Court Modernization Funding Program Fiscal Year 2020–21, Direct Allocations–Distribution Summary

Trial Court	Amount Allocated	Modernization Initiative(s)
Alameda	\$ 455,702.00	Virtual Customer Service Center; Trial Court Digital Services; Next Generation Data Center and Cloud Solutions
Alpine	\$ 40,000.00	Remote Appearance Technology
Amador	\$ 40,000.00	Digitizing of Documents
Butte	\$ 67,756.00	Remote Appearance Technology; Trial Court Digital Services
Calaveras	\$ 40,000.00	Trial Court Digital Services
Colusa	\$ 40,000.00	Trial Court Digital Services; Remote Appearance Technology
Contra Costa	\$ 268,888.00	Digitizing of Documents; Trial Court Digital Services
Del Norte	\$ 40,000.00	Remote Appearance Technology
El Dorado	\$ 46,014.00	Remote Appearance Technology
Fresno	\$ 317,926.00	Remote Appearance Technology; Digitizing of Documents
Glenn	\$ 40,000.00	Next Generation Data Center and Cloud Solutions; Remote Appearance Technology
Humboldt	\$ 42,099.00	Trial Court Digital Services
Imperial	\$ 56,407.00	Next Generation Data Center and Cloud Solutions; Remote Appearance Technology; Virtual Customer Service Center
Inyo	\$ 40,000.00	Remote Appearance Technology; Next Generation Data Center and Cloud Solutions
Kern	\$ 341,144.00	Next Generation Data Center and Cloud Solutions; Trial Court Digital Services; Digitizing of Documents; Remote Appearance Technology
Kings	\$ 51,554.00	Trial Court Digital Services
Lake	\$ 40,000.00	Remote Appearance Technology
Lassen	\$ 40,000.00	Automated Messaging (notifications and reminders); Trial Court Digital Services
Los Angeles	\$ 3,302,944.00	Automated Messaging (notifications and reminders); Next Generation Data Center and Cloud Solutions; Trial Court Digital Services; Data Governance; Remote Appearance Technology; Virtual Customer Service Center
Madera	\$ 51,624.00	Automated Messaging (notifications and reminders); Remote Appearance Technology
Marin	\$ 77,954.00	Trial Court Digital Services
Mariposa	\$ 40,000.00	Remote Appearance Technology; Next Generation Data Center and Cloud Solutions
Mendocino	\$ 40,000.00	Next Generation Data Center and Cloud Solutions
Merced	\$ 80,865.00	Remote Appearance Technology; Trial Court Digital Services
Modoc	\$ 40,000.00	Digitizing of Documents; Remote Appearance Technology
Mono	\$ 40,000.00	Trial Court Digital Services; Next Generation Data Center and Cloud Solutions
Monterey	\$ 124,197.00	Digital Evidence; Trial Court Digital Services, Digitizing of Documents
Napa	\$ 47,635.00	Trial Court Digital Services; Digital Evidence; Remote Appearance Technology, Digitizing of Documents
Nevada	\$ 40,000.00	Next Generation Data Center and Cloud Solutions; Trial Court Digital Services; Remote Appearance Technology, Digitizing of Documents
Orange	\$ 878,719.00	Digital Evidence; Next Generation Data Center and Cloud Solutions; Remote Appearance Technology; Data Governance

Attachment A: Court Modernization Funding Program Fiscal Year 2020–21, Direct Allocations–Distribution Summary

Trial Court	Amount Allocated	Modernization Initiative(s)
Placer	\$ 110,521.00	Digital Evidence; Remote Appearance Technology; Virtual Customer Service Center
Plumas	\$ 40,000.00	Remote Appearance Technology
Riverside	\$ 670,298.00	Next Generation Data Center and Cloud Solutions
Sacramento	\$ 505,388.00	Next Generation Data Center and Cloud Solutions
San Benito	\$ 40,000.00	Trial Court Digital Services; Digitizing of Documents; Remote Appearance Technology
San Bernardino	\$ 634,677.00	Trial Court Digital Services; Remote Appearance Technology
San Diego	\$ 895,884.00	Next Generation Data Center and Cloud Solutions; Remote Appearance Technology; Virtual Customer Service Center
San Francisco	\$ 343,614.00	Next Generation Data Center and Cloud Solutions; Trial Court Digital Services; Remote Appearance Technology
San Joaquin	\$ 227,846.00	Remote Appearance Technology, Digitizing of Documents
San Luis Obispo	\$ 91,194.00	Digitizing of Documents
San Mateo	\$ 229,015.00	Digitizing of Documents; Virtual Customer Service Center; Remote Appearance Technology
Santa Barbara	\$ 141,815.00	Remote Appearance Technology
Santa Clara	\$ 469,968.00	Next Generation Data Center and Cloud Solutions; Digitizing of Documents; Remote Appearance Technology
Santa Cruz	\$ 81,748.00	Digitizing of Documents
Shasta	\$ 74,499.00	Remote Appearance Technology; Digitizing of Documents; Next Generation Data Center and Cloud Solutions
Sierra	\$ 40,000.00	Remote Appearance Technology
Siskiyou	\$ 40,000.00	Next Generation Data Center and Cloud Solutions; Digitizing of Documents
Solano	\$ 146,698.00	Remote Appearance Technology; Digitizing of Documents
Sonoma	\$ 149,182.00	Next Generation Data Center and Cloud Solutions; Virtual Customer Service Center; Trial Court Digital Services
Stanislaus	\$ 154,257.00	Remote Appearance Technology; Digitizing of Documents; Trial Court Digital Services
Sutter	\$ 40,000.00	Trial Court Digital Services
Tehama	\$ 40,000.00	Next Generation Data Center and Cloud Solutions
Trinity	\$ 40,000.00	Remote Appearance Technology
Tulare	\$ 142,227.00	Remote Appearance Technology; Digitizing of Documents; Trial Court Digital Services
Tuolumne	\$ 40,000.00	Remote Appearance Technology
Ventura	\$ 225,173.00	Automated Messaging (notifications and reminders); Next Generation Data Center and Cloud Solutions; Virtual Customer Service Center
Yolo	\$ 70,541.00	Automated Messaging (notifications and reminders); Remote Appearance Technology; Virtual Customer Service Center
Yuba	\$ 40,000.00	Automated Messaging (notifications and reminders); Next Generation Data Center and Cloud Solutions; Digitizing of Documents; Remote Appearance Technology